

PETITION FOR EXTENSION OF TIME

Applicant petitions for three (3) months extension of time, extending the period for response to the non-final Office Action (mailed December 18, 2007) from March 18, 2008 to June 18, 2008. Submitted herewith is a payment to cover the petition for three months extension of time for large entity.

REMARKS/ARGUMENTS

Upon entry of the present Amendment, claims 7-9, and 14-15, 17-19, 21-23, 25-26 are cancelled and claims 27-37 newly added.. By the present Amendment and Remarks, Applicant respectfully submits that that the rejections have been overcome, and respectfully requests reconsideration of the December 18, 2007 Office Action and allowance of the present application at the Examiner's earliest convenience.

Canceled Claims

Applicant has canceled claims 7-9, 14-15, 17-19, 21-23, and 25-26 without prejudice and reserves the right to represent such claims at a later time.

Pending Claims

Claims 27-37 are pending in the application.

Summary of the Official Office Action

Claim Objections

Claim 7 was objected to under 37 CFR 1.75(c) as being in improper dependent form. In lieu of the present Amendment, Applicant respectfully submits that the rejection of claim 7 is now moot and respectfully requests the Examiner to withdraw the rejection at the Examiner's earliest convenience.

Claim Rejections

Claims 7-9 and 14, 15, 17, 18, 19, 21, 22, 23, 25, and 26 were rejected as being unpatentable over Silverbrook et al. (US PGPUB 2002/0080396) [hereinafter referred to as Silverbrook] in view of Tan et al. (US 6,613,403) [hereinafter referred to as Tan] and Brouhon et al. (US 6,962,450) [hereinafter referred to as Brouhon].

In lieu of the present Amendment, Applicant respectfully submits that the rejection(s) of the above-identified claims is now moot and respectfully requests the Examiner to withdraw the rejection(s) at the Examiner's earliest convenience.

New Claims

New claims 27-37 have been added without adding new matter. New claims 27-37 are believed allowable as discussed below with respect to the references cited in the December 18, 2008 Office Action.

Newly added claim 27 is directed to a recording apparatus for forming an image on a recording medium, the apparatus including an image processing unit configured to create a first recording data by reading pattern data for recording positional information image representing position on a recording medium and to create a second recording data

by reading recording data for recording an image, a recording control unit configured to record the positional information image and the image concurrently based on the first and second recording data, wherein a first black ink detectable by a predetermined detector is used to record the positional information image and cyan ink, magenta ink, yellow ink, and a second black ink, which are undetectable by the predetermined detector, are used to record the image.

Applicant respectfully submits that neither Silverbrook, Ten, nor Brouhon, either alone or in any combination, disclose at least the above-noted features of the present invention.

Silverbrook is seen to describe a system for producing interface surfaces (“netpages”) which allow users to interact with networked information and to obtain interactive printed matter. More specifically, a “netpage” consists of a printed page (or other surface region) invisibly tagged with references (i.e., tags) to an online description of the page. The tags may be printed on or into the surface of the page, may be in or on a sub-layer of the page or may be otherwise incorporated into the page. The online page description is maintained persistently by a netpage page server. The page description describes the visible layout and content of the page, including text, graphics and images. It also describes the input elements on the page, including buttons, hyperlinks, and input fields. A netpage allows markings made with a netpage pen on its surface to be simultaneously captured and processed by the netpage system (paragraph 0148).

Tags are printed in infrared-absorptive black ink on any substrate which is infrared-reflective, such as ordinary paper (paragraph 0151). A tag is sensed by an area image sensor in the netpage pen, decoded and the data encoded by the tag is transmitted to the netpage system, preferably via the nearest netpage printer. The pen recognizes the

tag and extracts the page ID and position on every interaction with the page. (paragraph 0152).

According to Silverbrook, in the preferred form of the invention, each tag identifies the region in which it appears, and the location of that tag within the region. A tag may also contain flags which relate to the region as a whole or to the tag. One or more flag bits may, for example, signal a tag sensing device to provide feedback indicative of a function associated with the immediate area of the tag, without the sensing device having to refer to a description of the region. (paragraph 0155).

Decoding a tag results in a region ID, a tag ID, and a tag-relative pen transform. Before the tag ID and the tag-relative pen location can be translated into an absolute location within the tagged region, the location of the tag within the region must be known. This is given by a tag map, where each tag ID in a tagged region is mapped to a corresponding function. A tag map reflects the scheme used to tile the surface region with tags. The tag map for a region must be retrievable via the region ID. Thus, given a region ID, a tag ID, and a pen transform, the tag map can be retrieved, the tag ID can be translated into an absolute tag location within the region, and the tag-relative pen location can be added to the tag location to yield an absolute pen location within the region (paragraphs 0193-0195).

A location-indicating tag contains a tag ID which, when translated through the tag map associated with the tagged region, yields a unique tag location with the region. The tag-relative position of the pen is added to this tag location to yield the location of the pen within the region. This in turn is used to determine the location of the pen relative to a user interface element in the page description associated with the region. The user interface element is identified, as well as a location relative to the user interface element.

Location-identifying tags therefore trivially support the capture of an absolute pen path in the zone of a particular user interface element. (0198)

According to Silverbrook, in the preferred form of the invention, the tag map is associated with each page instance to allow tags on the page to be translated into locations on the page. (0209).

As discussed above, the location of a tag within a region must be known and is done so through the use of a tag map, where each tag ID in a tagged region is mapped to a corresponding function. Given the fact that the Silverbrook invention requires that the location of a tag within a region must be known, and requires a map to do, the idea of arbitrarily recording tags on a page appears to be inconsistent with the implementation required for the Silverbrook invention to work as described.

As the above referenced sections of Silverbrook illustrate, Silverbrook discloses the structure to detect a tag, printed on a recording medium with invisible ink, by a sensor on a pen. The position on the surface of the recording medium can be determined by reading the tag using the pen. The disclosed tag comprises at least 90 bits of region ID (paragraph 0158), which itself shows the position on the recording medium. In other words, encoded information showing the position on the recording medium is already included in the tag. In order to make use of the tag to yield an absolute position of the pen within a region, a tag map mapping each tag ID in a tagged region to a corresponding location is required.

Nothing in Silverbrook is seen to describe at least the present invention's feature of creating a first recording data by reading pattern data for recording positional information image and creating a second recording data by reading recording data for

recording an image and recording the positional information image and the image concurrently based on the first and second recording data.

Nothing in Silverbrook is seen to indicate that an individual tag or combination of tags forms or form a positional information image. In other words, there is nothing in Silverbrook to suggest that the tags form an image representing positional information on the recording medium when the tags are recorded on the recording medium.

Applicant also respectfully submits that Tan fails to disclose at least the above-noted features of the present invention. As stated in the Summary of the Invention section of Tan, the general object of Tan is to prolong the useful life of near infrared florescent compounds in print media to provide security features, sense marks, and data images which are invisible to the human eye. Nothing in Tan is seen to disclose or describe the at least the present invention's features as described above.

Finally, Applicant respectfully submits that Brouhon fails to disclose at least the above-noted features of the present invention. Brouhon is seen to describe that dots showing positional information are recorded on virtual lattice points at intervals of 0.3mm. According to column 7, lines 43-46 of Brouhon, the content 7 and pattern 6 are combined into an electronic file in the printer driver 214. However, the content data corresponding to the image data performs recording with smaller intervals than those at which positional information dots are recorded. Thus, positional information data can be identified by a one type of detector, e.g., detecting pen, in monochrome printing, while the content data can be detected by another type of detector, e.g., sensor pen.

Nothing in Brouhon is seen to describe at least the present invention's feature of creating a first recording data by reading pattern data for recording positional information image and creating a second recording data by reading recording data for recording an

image and recording the positional information image and the image concurrently based on the first and second recording data.

Newly added claim 32 is a method equivalent of claim 27, and thus the above-stated arguments are applicable to claim 32 as well. The remaining claims depend from either claim 27 or 32 and recite additional features that further define the present invention.

CONCLUSION

Applicant respectfully submits that each and every pending claim of the present invention meets the requirements for patentability, and respectfully requests the Examiner to indicate the allowance of such claims as the Examiner's earliest convenience.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein is respectfully requested and now believed to be appropriate.

If any additional fees are required as result of the present Amendment, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Applicant's USPTO Deposit Account number **502456**.

Applicants' undersigned attorney may be reached at (949) 932-3329. All correspondences should be directed to the below-listed address.

Respectfully submitted,

6/17/08
Date

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